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Victor Bronshtein  
5008 Almondwood Way  
San Diego CA 92130

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**OFFICE OF PETITIONS**

In re Application of	:	
Victor Bronshtein	:	
Application No. 09/254,563	:	DECISION ON SECOND RENEWED
Filed: March 5, 1999	:	PETITION UNDER 37 C.F.R. §1.137(b)
Attorney Docket Number: UPTINC.015A	:	
Title: SHELF PRESERVATION OF CELLS,	:	
TISSUES, ORGANS AND ORGANISMS BY	:	
VITRIFICATION	:	

This is a decision on the second renewed petition filed August 5, 2005, pursuant to 37 C.F.R. §1.137(b)<sup>1</sup>, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed April 9, 2002, which set a shortened statutory period for reply of three (3) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on July 10, 2002. A Notice of Abandonment was mailed November 18, 2002.

The original petition was submitted on October 12, 2004, and was dismissed via the mailing of a decision on April 21, 2005, which indicated that Petitioner had not submitted the petition fee in full (Petitioner submitted \$670 when \$750 was due). With the renewed petition, submitted on May 9, 2005, Petitioner submitted only \$15 of the \$80 that was due. As such, the petition was dismissed via the mailing of a decision on July 27, 2005.

<sup>1</sup> A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

With the original petition, Petitioner submitted an amendment and the proper statement of unintentional delay. With this present petition, Petitioner has submitted the petition fee in full.

As such, the petition is **GRANTED**.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



**Paul Shanowski**  
Senior Attorney  
Office of Petitions  
United States Patent and Trademark Office